

REMARKS

Claim 45 is the only claim pending in the instant application. Claim 45 is amended herein. Applicants request replacement of original Claim 45 with the instant amended Claim 45. Amended Claim 45 is directed to certain aminofuranose compounds.

Support for the amendment is found in the instant specification on page 2, at lines 12 (“isopropyl”) and 24 (“phenyl”); and page 3, at line 22 (“methylene”). No new matter is added.

Election/Restriction under 35 U.S.C. §121

Applicants note with pleasure that their election without traverse of Group IV in Paper No. 8 has been acknowledged.

Domestic Priority Under 35 U.S.C. § 119(e)

Applicants' note with pleasure that acknowledgement has been made of a claim for priority under 35 U.S.C. §119(e) to provisional application of serial number 60/263,534, filed January 22, 2001.

Claim Rejections - 35 U.S.C. § 102

Claim 45 stands rejected under 35 U.S.C. § 102(b) as allegedly “being anticipated by Marsault et al. (Oxazaphosphorinane Precursors to the Diastereoselective Synthesis of DNA Phosphorothioates”, Tetrahedron, Vol. 53, No. 50, pp. 16945-16958, 1997).” Applicants note that the Examiner inadvertently described R=Bn of the compound of formula (17) of Marsault et al. as meaning “benzene,” whereas what is described is “benzyl.” The term “Bn” is well known in the organic chemistry art to mean benzyl, not benzene, and Marsault et al. teaches benzyl on page 16948, sixth line up from the bottom of the page.

Claim 45 has been amended to exclude the compound of formula (7) wherein R¹ is benzyl and R³ is isopropyl, rendering this rejection moot.

In view of the above amendment and response, Applicants deem that the rejection of Claim 45 under 35 U.S.C. § 102 has been overcome and that the application is in condition for allowance. Applicants respectfully request prompt consideration and allowance of amended Claim 45.

The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to deposit account number 23-0455.

The undersigned would welcome a telephone call from the Examiner to discuss any matters related to this case that the Examiner thinks are conducive to telephonic resolution.

Respectfully submitted,

Date: July 22, 2003

Claude F. Purchase

Claude F. Purchase, Jr.
Reg. No. 47,871
Warner-Lambert Company
2800 Plymouth Road
Ann Arbor, MI 48105
Tel. (734) 622-1692
Fax (734) 622-1553